COURT NO. 2
IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition (S/S) 710/2003
(Old No. 15230/1992)

Shri Prasad Nautiyal
S/o Late Ansuya Prasad Nautiyal,
(substituted in place of
late Sri Ansuya Prasad Nautiyal)
R/o Village Jairaj,
Post Office Kandara,
District Pauri Garhwal.

……Petitioner

Versus

1. Administrator, Panchayat Udyog,
   Dugadda, Kotdwar,
   Pauri Garhwal.
2. District Panchayat Raj Officer,
   Pauri Garhwal.
3. District Panchayat Raj Officer,
   Nainital
4. Deputy Director Panchayat (Admin)
   Panchayat Raj Director, U.P.
   Lucknow.

…… Respondents.

Sri B.D. Upadhyay, learned Counsel for the petitioner.
Sri Paresh Tripathi, learned Standing Counsel for the State.

26th November, 2007

Hon'ble P.C.Verma,J.

By means of this writ petition, the petitioner has sought a writ of mandamus seeking direction to direct the respondents to issue 'No Objection Certificate' for payment of post retrial dues of his father, which is now confined only up to gratuity.

2. Learned Counsel for the petitioner fairly submitted that there was some outstanding dues against the father

of the petitioner and the same has been deposited by the father of the petitioner when he was informed about the dues after the audit report. Accordingly, the audit objection was removed and 'No Objection Certificate' was also issued to the father of the petitioner. But further notice has been issued to him demanding outstanding amount worth Rs. 54,999.14 paise. Therefore, the Director, Panchayati Raj is directed to himself look into the matter and pass necessary order for payment of gratuity considering the representation of legal heir of the petitioner.

3. The writ petition is disposed of with the above direction. No order as to costs.

(P.C. Verma, J.)

Prabodh